

complete analysis of potential impacts on small entities of rules, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-440. A communication from the Chief of the Planning and Regulatory Affairs Branch, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Supplemental Nutrition Assistance Program (SNAP): Eligibility, Certification, and Employment and Training Provisions of the Food, Conservation and Energy Act of 2008" (RIN0584-AD87) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-441. A communication from the Supervisory Regulatory Analyst, Grain Inspection, Packers and Stockyards Administration, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Fees for Official Inspection and Official Weighing Services Under the United States Grain Standards Act (USGSA)" (7 CFR Part 800) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-442. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to realistic survivability testing of the OHIO Replacement Ballistic Missile Submarine (SSBN) (OSS-2017-0022); to the Committee on Armed Services.

EC-443. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, the quarterly exception Selected Acquisition Reports (SARs) as of September 30, 2016 (OSS-2017-0024); to the Committee on Armed Services.

EC-444. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report entitled "Failure of Contractors, Participating under the DoD Test Program for a Comprehensive Subcontracting Plan, to Meet Their Negotiated Goals"; to the Committee on Armed Services.

EC-445. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Regulatory Capital Rules: Implementation of Capital Requirements for Global Systemically Important Bank Holding Companies" (RIN7100-AE49) received in the Office of the President of the Senate on January 10, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-446. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Energy Conservation Standards for Residential Central Air Conditioners and Heat Pumps" (RIN1904-AD37) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Energy and Natural Resources.

EC-447. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of

Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Efficiency Standards for the Design and Construction of New Federal Low-Rise Residential Buildings' Baseline Standards Update" (RIN1904-AD56) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Energy and Natural Resources.

EC-448. A communication from the Chief of the Policy, Performance, and Management Programs Division, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Refuge-Specific Regulations; Public Use; Kenai National Wildlife Refuge" (RIN1018-AX56) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Energy and Natural Resources.

EC-449. A communication from the Acting Chief of the Branch of Conservation and Communications, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Revisions to the Regulations for Candidate Conservation Agreements With Assurances" (RIN1018-BB25) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Energy and Natural Resources.

EC-450. A communication from the Division Chief of Regulatory Affairs, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Onshore Oil and Gas Operations; Federal and Indian Oil and Gas Leases; Onshore Oil and Gas Order Number 1, Approval of Operations" (RIN1004-AE37) received in the Office of the President of the Senate on January 10, 2017; to the Committee on Energy and Natural Resources.

EC-451. A communication from the Director of Congressional Affairs, Office of General Counsel, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Update to Incorporate FOIA Improvement Act of 2016 Requirements" ((RIN3150-AJ84) (NRC-2016-0171)) received in the Office of the President of the Senate on January 10, 2017; to the Committee on Environment and Public Works.

EC-452. A communication from the Senior Advisor, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0026); to the Committee on Foreign Relations.

EC-453. A communication from the Senior Advisor, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0025); to the Committee on Foreign Relations.

EC-454. A communication from the Senior Advisor, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0021); to the Committee on Foreign Relations.

EC-455. A communication from the Senior Advisor, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0018); to the Committee on Foreign Relations.

EC-456. A communication from the Senior Advisor, Bureau of Political-Military Affairs, Department of State, transmitting,

pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0017); to the Committee on Foreign Relations.

EC-457. A communication from the Senior Advisor, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0019); to the Committee on Foreign Relations.

EC-458. A communication from the Senior Advisor, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0016); to the Committee on Foreign Relations.

EC-459. A communication from the Senior Advisor, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0020); to the Committee on Foreign Relations.

EC-460. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the establishment of the danger pay allowance for Philippines: Mindanao Regions with Mindanao; Autonomous Region of Muslim Mindanao; Zamboanga Peninsula; Northern Mindanao; Davao Region; and Soccsksargen Caraga; to the Committee on Foreign Relations.

EC-461. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the elimination of the danger pay allowance; to the Committee on Foreign Relations.

EC-462. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "International Traffic in Arms Regulations: International Trade Data System, Reporting" (RIN1400-AE07) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Foreign Relations.

EC-463. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-95; Introduction" (FAC 2005-95) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-464. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Uniform Use of Line Items" ((RIN9000-AM73) (FAC 2005-95)) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-465. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Acquisition Threshold for Special Emergency Procurement Authority" ((RIN9000-AN18) (FAC 2005-95)) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-466. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Contractor Employee Internal Confidentiality Agreements or Statements" ((RIN9000-AN04) (FAC 2005-95)) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-467. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Contracts Under the Small Business Administration 8(a) Program" ((RIN9000-AM68) (FAC 2005-95)) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-468. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Prohibition on Reimbursement for Congressional Investigations and Inquiries" ((RIN9000-AM97) (FAC 2005-95)) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-469. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-95; Small Entity Compliance Guide" (FAC 2005-95) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-470. A communication from the Chair of the Securities and Exchange Commission, transmitting, pursuant to law, the Commission's fiscal year 2014 and fiscal year 2015 FAIR Act Commercial and Inherently Governmental Activities Inventory; to the Committee on Homeland Security and Governmental Affairs.

EC-471. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the annual report from the Attorney General to Congress relative to the Uniformed and Overseas Citizens Absentee Voting Act; to the Committee on Rules and Administration.

EC-472. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the annual report from the Attorney General to Congress relative to the Uniformed and Overseas Citizens Absentee Voting Act; to the Committee on Rules and Administration.

EC-473. A communication from the Deputy Assistant Administrator, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands Management Area; American Fisheries Act; Amendment 113" (RIN0648-BF54) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Commerce, Science, and Transportation.

EC-474. A communication from the Assistant Secretary, Federal Maritime Commission, transmitting, pursuant to law, the report of a rule entitled "Inflation Adjustment of Civil Monetary Penalties" (RIN3072-AC66) received in the Office of the President of the Senate on January 11, 2017; to the Com-

mittee on Commerce, Science, and Transportation.

EC-475. A communication from the Chair of the Aerospace Safety Advisory Panel, National Aeronautics and Space Administration, transmitting, pursuant to law, the Panel's annual report for 2016; to the Committee on Commerce, Science, and Transportation.

## PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-9. A petition from a citizen of the State of Minnesota relative to the Minnesota Presidential Certificate of Vote; to the Committee on Rules and Administration.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CORKER, from the Committee on Foreign Relations, with amendments:

S. Res. 6. A resolution objecting to United Nations Security Council Resolution 2334 and to all efforts that undermine direct negotiations between Israel and the Palestinians for a secure and peaceful settlement.

By Mr. McCAIN, from the Committee on Armed Services, without amendment:

S. 84. A bill to provide for an exception to a limitation against appointment of persons as Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces.

## EXECUTIVE REPORT OF COMMITTEE—TREATY

The following executive report of committee was submitted:

By Mr. CORKER, from the Committee on Foreign Relations.

Treaty Doc. 114-12: Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro (Ex. Rept. 115-1)

The Text of the committee-recommended resolution of advice and consent to ratification is as follows:

As reported by the Committee on Foreign Relations:

*Resolved, (two-thirds of the Senators present concurring therein),*

Section 1. Senate Advice and Consent Subject to Declarations, an Understanding, and Conditions.

The Senate advises and consents to the ratification of the Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro, which was opened for signature at Brussels on May 19, 2016, and signed that day on behalf of the United States of America (the "Protocol") (Treaty Doc. 114-12), subject to the declarations of section 2 and the conditions of section 3.

Sec. 2. Declarations.

The advice and consent of the Senate under section 1 is subject to the following declarations:

(1) REAFFIRMATION THAT UNITED STATES MEMBERSHIP IN NATO REMAINS A VITAL NATIONAL SECURITY INTEREST OF THE UNITED STATES.—The Senate declares that—

(A) for more than 60 years the North Atlantic Treaty Organization (NATO) has served as the preeminent organization to defend the countries in the North Atlantic area against all external threats;

(B) through common action, the established democracies of North America and Eu-

rope that were joined in NATO persevered and prevailed in the task of ensuring the survival of democratic government in Europe and North America throughout the Cold War;

(C) NATO enhances the security of the United States by embedding European states in a process of cooperative security planning and by ensuring an ongoing and direct leadership role for the United States in European security affairs;

(D) the responsibility and financial burden of defending the democracies of Europe and North America can be more equitably shared through an alliance in which specific obligations and force goals are met by its members;

(E) the security and prosperity of the United States is enhanced by NATO's collective defense against aggression that may threaten the security of NATO members; and

(F) United States membership in NATO remains a vital national security interest of the United States.

(2) STRATEGIC RATIONALE FOR NATO ENLARGEMENT.—The Senate finds that—

(A) the United States and its NATO allies face continued threats to their stability and territorial integrity;

(B) an attack against Montenegro, or its destabilization arising from external subversion, would threaten the stability of Europe and jeopardize United States national security interests;

(C) Montenegro, having established a democratic government and having demonstrated a willingness to meet the requirements of membership, including those necessary to contribute to the defense of all NATO members, is in a position to further the principles of the North Atlantic Treaty and to contribute to the security of the North Atlantic area; and

(D) extending NATO membership to Montenegro will strengthen NATO, enhance stability in Southeast Europe, and advance the interests of the United States and its NATO allies.

(3) SUPPORT FOR NATO'S OPEN DOOR POLICY.—The policy of the United States is to support NATO's Open Door Policy that allows any European country to express its desire to join NATO and demonstrate its ability to meet the obligations of NATO membership.

(4) FUTURE CONSIDERATION OF CANDIDATES FOR MEMBERSHIP IN NATO.—

(A) SENATE FINDING.—The Senate finds that the United States will not support the accession to the North Atlantic Treaty of, or the invitation to begin accession talks with, any European state (other than Montenegro), unless—

(i) the President consults with the Senate consistent with Article II, section 2, clause 2 of the Constitution of the United States (relating to the advice and consent of the Senate to the making of treaties); and

(ii) the prospective NATO member can fulfill all of the obligations and responsibilities of membership, and the inclusion of such state in NATO would serve the overall political and strategic interests of NATO and the United States.

(B) REQUIREMENT FOR CONSENSUS AND RATIFICATION.—The Senate declares that no action or agreement other than a consensus decision by the full membership of NATO, approved by the national procedures of each NATO member, including, in the case of the United States, the requirements of Article II, section 2, clause 2 of the Constitution of the United States (relating to the advice and consent of the Senate to the making of treaties), will constitute a commitment to collective defense and consultations pursuant to Articles 4 and 5 of the North Atlantic Treaty.